

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:
RANBAXY LABORATORIES LIMITED
 Attn. Deskmukh, Jay R.
 600 College Road East, Suite 2100
 Princeton, New Jersey 08540
 UNITED STATES OF AMERICA

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT OR THE DECLARATION

(PCT Rule 44.1)

JAN 2 2004

Date of mailing...
(day/month/year) 21/01/2004

Applicant's or agent's file reference RLL-314WO	FOR FURTHER ACTION See paragraphs 1 and 4 below
International application No. PCT/IB 03/01754	International filing date (day/month/year) 06/05/2003
Applicant RANBAXY LABORATORIES LIMITED	

1. The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO
 34, chemin des Colombettes
 1211 Geneva 20, Switzerland
 Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Further action(s):** The applicant is reminded of the following:

Shortly after **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

Within **19 months** from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within **20 months** from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer Kerstin Gutz
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ND US or AV
 "X" ref'd

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference RLL-314WO	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/IB 03/01754	International filing date (<i>day/month/year</i>) 06/05/2003	(Earliest) Priority Date (<i>day/month/year</i>)
Applicant RANBAXY LABORATORIES LIMITED		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 8 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :
 - contained in the international application in written form.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority in written form.
 - furnished subsequently to this Authority in computer readable form.
 - the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 - the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. Certain claims were found unsearchable (See Box I).

3. Unity of invention is lacking (see Box II).

4. With regard to the title,

- the text is approved as submitted by the applicant.
- the text has been established by this Authority to read as follows:

5. With regard to the abstract,

- the text is approved as submitted by the applicant.
- the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

- as suggested by the applicant.
- because the applicant failed to suggest a figure.
- because this figure better characterizes the invention.

None of the figures.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/IB 03/01754

Box III TEXT OF THE ABSTRACT (Continuation of item 5 of the first sheet)

INTERNATIONAL SEARCH REPORT

Internat'l Application No
PCT/IB 03/01754

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 C07D413/14 A61K31/422 A61P31/04

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 C07D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

CHEM ABS Data, EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2003 027083 A (MERCK & CO., INC., USA; KYORIN PHARMACEUTICAL CO., LTD.) 3 April 2003 (2003-04-03) claim 6; example 134 ---	1, 9-14, 21-23
X	WO 99 64417 A (ZENECA LIMITED, UK) 16 December 1999 (1999-12-16) Claims and compounds of ex. 3, 11, 13, 15, 17, 26, 28, 31, 32, 34, 59, 131, 133, 137 and 167. ---	1, 9-14, 21-23
X	WO 97 30995 A (ZENECA LTD., UK; GRAVESTOCK, MICHAEL BARRY) 28 August 1997 (1997-08-28) cited in the application claims, compounds of examples 12-13, 25-26, 37-38 and several compounds of table A p. 79 and table B p. 81-82 ---	1, 2, 6, 9-15, 19, 21-24, 28, 30-32 -/-

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the international search

25 November 2003

Date of mailing of the international search report

21/01/2004

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Gregoire, A

INTERNATIONAL SEARCH REPORT

International Application No
PCT/IB 03/01754

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2000 021960 A (ZENECA LIMITED, UK) 20 April 2000 (2000-04-20) cited in the application claim 6; example 47 ---	1,9-14, 21-23
X	WO 99 10342 A (ZENECA LIMITED, UK) 4 March 1999 (1999-03-04) claims 1,2 ---	1,9-14, 21-23
X	WO 97 09328 A (UPJOHN CO., USA;HUTCHINSON, DOUGLAS, K.; ENNIS, MICHAEL D.; HOFFMAN, R) 13 March 1997 (1997-03-13) claims 1,2 ---	1,9-14, 21-23
X	WO 2003 072575 A (ASTRAZENECA AB, SWED.;ASTRAZENECA UK LIMITED) 4 September 2003 (2003-09-04) Intermediates 54 and 57 on pages 107 and 111 ---	1,21-23
X	WO 2002 096916 A (ASTRAZENECA AB, SWED.;ASTRAZENECA UK LIMITED) 5 December 2002 (2002-12-05) Intermediates of steps 4 and 5 page 10 -----	1,21-23

FURTHER INFORMATION CONTINUED FROM PCT/SA/ 210

Continuation of Box I.2

Claims Nos.: 1-7(part), 9-34(part)

Claims 1-7 and 9-34, in as far as the expressions "prodrugs" and "metabolites" are explicitly or implicitly concerned, is so unclear (Article 6 PCT) that a meaningful international search is impossible with regard to these expressions.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/IB 03/01754

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:

Although claims 11-20 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. Claims Nos.: 1-7(part), 9-34(part)
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:

see FURTHER INFORMATION sheet PCT/ISA/210
3. Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

The additional search fees were accompanied by the applicant's protest.
 No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Inform: on patent family members

Inte	rial Application No
PCT/IB	03/01754

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
WO 2003027083	A	03-04-2003	WO US 03027083 A1 2003125367 A1		03-04-2003 03-07-2003
WO 9964417	A	16-12-1999	AU 753988 B2 AU 4157199 A BG 105001 A BR 9910971 A CA 2333332 A1 CN 1311787 T EE 200000707 A EP 1082323 A2 WO 9964417 A2 HU 0103082 A2 JP 2002517498 T NO 20006152 A NZ 508174 A PL 345162 A1 SK 18362000 A3 TR 200003595 T2 US 2003144263 A1 US 6617339 B1 ZA 200006694 A		31-10-2002 30-12-1999 28-09-2001 13-02-2001 16-12-1999 05-09-2001 15-04-2002 14-03-2001 16-12-1999 28-10-2002 18-06-2002 02-02-2001 31-10-2003 03-12-2001 11-06-2001 23-07-2001 31-07-2003 09-09-2003 18-02-2002
WO 9730995	A	28-08-1997	AU 1805397 A EP 0882042 A1 WO 9730995 A1 JP 11514662 T US 2002133022 A1 US 6271383 B1 US 6365751 B1 US 5981528 A ZA 9701469 A		10-09-1997 09-12-1998 28-08-1997 14-12-1999 19-09-2002 07-08-2001 02-04-2002 09-11-1999 25-08-1997
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WO 9709328	A	13-03-1997	AT 207487 T AU 716493 B2 AU 6718196 A BR 9610474 A CA 2228647 A1 CN 1197457 A ,B		15-11-2001 24-02-2000 27-03-1997 02-03-1999 13-03-1997 28-10-1998

INTERNATIONAL SEARCH REPORT

Inform on patent family members

Inter al Application No

PCT/IB 03/01754

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9709328	A	CZ 9800493 A3 DE 69616366 D1 DE 69616366 T2 DK 856002 T3 EP 0856002 A1 ES 2165516 T3 FI 980452 A HK 1014946 A1 HU 9901979 A2 JP 11512386 T NO 980855 A NZ 315469 A PL 325152 A1 PT 856002 T RU 2175324 C2 SI 856002 T1 SK 19598 A3 TW 419468 B WO 9709328 A1 US 6166056 A US 6051716 A US 6043266 A US 6313307 B1 US 5968962 A US 6358942 B1 ZA 9606935 A	12-08-1998 29-11-2001 04-07-2002 11-02-2002 05-08-1998 16-03-2002 27-02-1998 01-03-2002 28-02-2000 26-10-1999 30-04-1998 28-01-2000 06-07-1998 29-04-2002 27-10-2001 30-04-2002 04-11-1998 21-01-2001 13-03-1997 26-12-2000 18-04-2000 28-03-2000 06-11-2001 19-10-1999 19-03-2002 16-02-1998
WO 2003072575	A	04-09-2003	WO 03072575 A1
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